



WEB COPY



W.P.No.23330 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.23330 of 2023

M.Anjali Devi

... Petitioner

Vs.

1.The Secretary,
Government of Tamil Nadu,
School Education Department,
Secretariat,
Chennai – 600 009.

2.The Chief Educational Officer,
Office of the Chief Educational Officer,
Thiruvannamalai District.

3.The Head Master,
Govt. Boys Higher Secondary School,
Vandavasi,
Thiruvannamalai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records connected with the impugned order passed by the 2nd respondent in Na.Ka.No.11148/e5/2021 dated 27.04.2022 and quash the same and to consequently direct the respondents to reinstate the petitioner into service in the post of Office Assistant and regularize petitioner's service in the existing or future vacancies with continuity of service and all other attendant, service and monetary benefits.



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For Petitioner : Mr.K.Gokulram

For Respondents : Mr.M.Alagu Gowtham
Government Advocate

ORDER

This writ petition has been filed challenging the order of 2nd respondent, dated 27.04.2022, rejecting the request of the petitioner to reinstate her in the 3rd respondent School as Office Assistant.

2.It is the case of the petitioner that she was working as Office Assistant in the 3rd respondent School on temporary basis for more than 10 years. However, she was terminated from service even without stating any reason. The petitioner made a representation to the 2nd respondent seeking reinstatement into service, which was rejected by the 2nd respondent vide the impugned order dated 27.04.2022. Challenging the same, the present writ petition has been filed.

3.Heard the learned counsel for the petitioner and Mr.M.Alagu Gowtham, learned Government Advocate, who takes notice for the respondents.



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4. On a perusal of the impugned order, it is clear that the petitioner had not been appointed on regular basis and she was just doing some temporary work in the 3rd respondent School without any regular appointment. It is also clear that the job was not on the basis of any Rules or Regulations. Therefore, this Court is of the view that the petitioner cannot seek regularisation or reinstatement into service as a matter of right, that too, in a Government School, where recruitments are to be done only in accordance with the Government Rules. Thus, merely on the basis of some assistance rendered by the petitioner to the School on a temporary basis, the petitioner is not entitled to seek any permanent job in the Government School as a matter of right.

5. Therefore, I do not find any merit in this writ petition. Accordingly, this writ petition is dismissed. No costs.

09.08.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order



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